

Nicholas J. Santoro (Nev. Bar No. 532)
Jason D. Smith (Nev. Bar No. 9691)
SANTORO WHITMIRE, LTD.
10100 W. Charleston Blvd., Suite 250
Las Vegas, NV 89135
Tel: (702) 948-8771 / Fax: (702) 948-8773
E-mail: nsantoro@santoronevada.com,
jsmith@santoronevada.com

Christopher N. Sipes (admitted *pro hac vice*)
Einar Stole (admitted *pro hac vice*)
Michael N. Kennedy (admitted *pro hac vice*)
Megan P. Keane (admitted *pro hac vice*)
Eric R. Sonnenschein (admitted *pro hac vice*)
Alaina M. Whitt (admitted *pro hac vice*)
Han Park (admitted *pro hac vice*)
Jordan L. Moran (admitted *pro hac vice*)
COVINGTON & BURLING LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001
Tel: (202) 662-6000 / Fax: (202) 662-6291
E-mail: csipes@cov.com, estole@cov.com,
mkennedy@cov.com, mkeane@cov.com,
esonnenschein@cov.com, awhitt@cov.com,
hpark@cov.com, jmoran@cov.com

*Attorneys for Plaintiffs Amarin Pharma, Inc. and
Amarin Pharmaceuticals Ireland Limited*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

AMARIN PHARMA, INC. and AMARIN
PHARMACEUTICALS IRELAND LIMITED,

Plaintiffs,

v.

HIKMA PHARMACEUTICALS USA INC., *et*
al.,

Defendants.

CASE NO.: 2:16-cv-02525-MMD-NJK

(Consolidated with
2:16-cv-02562-MMD-NJK)

**AMARIN'S NOTICE OF VOLUNTARY
WITHDRAWAL OF COMBINED
MOTION TO CLARIFY ORDER, OR, IN
THE ALTERNATIVE, TO UNSEAL OR
RECONSIDER SEALING OF JOINT
STATUS REPORT, AND OPPOSITION
TO MOTION TO SEAL TRANSCRIPT
(ECF No. 218, 220, 222)**

1 Plaintiffs Amarin Pharma, Inc. and Amarin Pharmaceuticals Ireland Limited
 2 (collectively, "Amarin") hereby voluntarily withdraw its Combined Motion to Clarify the
 3 Court's Amended Minute Order, or, in the alternative, to Unseal or Reconsider Sealing of Joint
 4 Status Report, and Opposition to Motion to Seal Transcript (ECF No. 218, 220, 222).

5 On May 6, 2019, Amarin requested that the Court clarify the Court's Amended Minute
 6 Order (ECF No. 211), which granted Defendants' Motion for Leave to File Joint Status Report
 7 Under Seal (ECF No. 207). Alternatively, Amarin requested that the Court unseal the report, or
 8 reconsider and deny Defendants' motion to seal. In addition, Amarin opposed Defendants'
 9 motion to seal the Transcript of the Status Conference held in this action on April 17, 2019 (ECF
 10 No. 215). After Amarin filed its motion, the Court ordered that issues covered by its Amended
 11 Minute Order (ECF No. 211) remain under seal and sealed the full transcript of the April 17,
 12 2019 status conference (ECF No. 204) pending the Court's decision on Amarin's pending
 13 motions (ECF No. 224).

14 Following the parties' pending motions, the parties reached a mutual resolution of the
 15 issues covered in the motions. Defendants have now acknowledged that Amarin may disclose
 16 publicly that Amarin does not expect an at-risk launch of Defendants' proposed ANDA products
 17 before the Court issues a decision on the merits in this case, which is expected by March 2020.
 18 Amarin may explain the basis for its belief that there will be no at-risk launch by referencing
 19 ECF Nos. 193, 197, 203, 207, 208, 212, 213, and/or 215-1. Accordingly, Amarin hereby
 20 respectfully withdraws its Combined Motion to Clarify the Court's Amended Minute Order, or,
 21 in the alternative, to Unseal or Reconsider Sealing of Joint Status Report, and Opposition to
 22 Motion to Seal Transcript (ECF No. 218, 220, 222).

23 DATED: May 14, 2019

Respectfully submitted,

24 /s/ Jason D. Smith

25 Nicholas J. Santoro (Nev. Bar No. 532)

26 Jason D. Smith (Nev. Bar No. 9691)

SANTORO WHITMIRE, LTD.

10100 W. Charleston Blvd., Suite 250

Las Vegas, NV 89135

Tel: (702) 948-8771 / Fax: (702) 948-8773

Email: nsantoro@santoronevada.com,
jsmith@santoronevada.com

Christopher N. Sipes (admitted *pro hac vice*)
Einar Stole (admitted *pro hac vice*)
Michael N. Kennedy (admitted *pro hac vice*)
Megan P. Keane (admitted *pro hac vice*)
Eric R. Sonnenschein (admitted *pro hac vice*)
Alaina M. Whitt (admitted *pro hac vice*)
Han Park (admitted *pro hac vice*)
Jordan L. Moran (admitted *pro hac vice*)
COVINGTON & BURLING LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001
Tel: (202) 662-6000 / Fax: (202) 662-6291
Email: csipes@cov.com, estole@cov.com,
mkennedy@cov.com, mkeane@cov.com,
esonnenschein@cov.com, awhitt@cov.com,
hpark@cov.com, jmoran@cov.com

*Attorneys for Plaintiffs Amarin Pharma, Inc.
and Amarin Pharmaceuticals Ireland Limited*

CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2019, I caused true and correct copy of **AMARIN'S NOTICE OF VOLUNTARY WITHDRAWAL OF COMBINED MOTION TO CLARIFY ORDER, OR, IN THE ALTERNATIVE, TO UNSEAL OR RECONSIDER SEALING OF JOINT STATUS REPORT, AND OPPOSITION TO MOTION TO SEAL TRANSCRIPT (ECF No. 218, 220, 222)** to be filed with the Clerk of the Court using the Court's CM/ECF system, and service was thereby effected electronically on the following counsel of record in this matter:

Laxalt & Nomura, Ltd.

Wayne A. Shaffer

Email: wshaffer@laxalt-nomura.com

Winston & Strawn LLP

George C. Lombardi

Email: glombard@winston.com

Charles B. Klein

Email: cklein@winston.com

Claire A. Fundakowski

Email: cfundakowski@winston.com

Eimeric Reig-Plessis

Email: ereigplessis@winston.com

Locke Lord LLP

Alan B. Clement

Email: aclement@lockelord.com

Myoka Kim Goodin

Email: mkgoodin@lockelord.com

Nina Vachhani

Email: nvachhani@lockelord.com

Jennifer Coronel

Email: jennifer.coronel@lockelord.com

Attorneys for Defendants Hikma Pharmaceuticals USA, Inc. and Hikma Pharmaceuticals International Limited

Brownstein Hyatt Farber Schreck, LLP

Michael D. Rounds

Email: mrounds@bhfs.com

Ryan James Cudnik

Email: rcudnik@bhfs.com

Windels Marx Lane & Mittendorf, LLP

Constance S. Huttner

Email: chuttner@windelsmarx.com

Frank D. Rodriguez

Email: frodriguez@windelsmarx.com

Caroline Sun

Email: csun@windelsmarx.com

Beth Finkelstein

Email: bfinkelstein@windelsmarx.com

Attorneys for Defendants Dr. Reddy's Laboratories, Inc. and Dr. Reddy's Laboratories, Ltd.

/s/ Rachel Jenkins

An employee of Santoro Whitmire